

PRIVILEGED & CONFIDENTIAL

The Information We Collect About You
Information We Collect Directly From You
Information We Collect Automatically
How We Use Your Information
Legal Bases for Processing
How We Share Your Information
Our Use of Cookies and Other Tracking Mechanisms
Third-Party Analytics
Third-Party Links
Security of My Personal Information
What Choices Do I Have Regarding Use of My Personal Information?
Children Under 13
International Transfer of Personal Information
Data Subject Rights
Your California Privacy Rights
Contact Us
Changes to this Policy

Containous Privacy Policy

EFFECTIVE DATE: April 1st 2019

Containous (“we”, “us” or “our”) values your privacy. In this Privacy Policy (“Policy”), we describe how we collect, use, and disclose information that we obtain about visitors to our websites at www.cotaino.us and www.traefik.io (the “Sites”) and the software and services available through our Sites (collectively, the “Services”), and how we use and disclose that information. The controller of personal information collected through the Sites and Services is: Containous, SAS, 15 rue des Cuirassiers, 69487 Lyon Cedex 03, registration # 818 103 475 with RCS Lyon. Our data representative is Vincent Pineau, vincent@cotaino.us.

By visiting the Sites, or using any of our Services, you agree that your personal information will be handled as described in this Policy. Your use of our Sites or Services, and any dispute over privacy, is subject to this Policy and if applicable to your use of the Services, your Software Subscription and Support Agreement (“Subscription Agreement”) with us, including its applicable provisions on limitations on damages and the resolution of disputes.

We adhere to the principles of the General Data Protection Regulation (Regulation (EU) 2016 / 679) (“GDPR”) with respect to data collected from residents of the European Union and for residents of other

PRIVILEGED & CONFIDENTIAL

countries to the extent required by the GDPR. For more information on specific provisions applicable under the GDPR, please see the section entitled EU Data Subject Rights below.

The Information We Collect About You

We collect information about you directly from you and from third parties, as well as automatically through your use of our Sites or Services.

Information We Collect Directly From You. You may browse certain areas of the Sites without registering with us or providing us personal information. If you contact us for information about our Services, we may ask for your name, email, and company name. If you register for our Services or wish to download our software, then you must provide your name, email address, and company name. In addition, if you are providing personal information for third parties in connection with using our Services, you are responsible for ensuring that you have all required permissions and consents to provide such personal information to us for use in connection with the Services and that our use of such personal information to provide the Services does not violate any applicable law, rule, regulation, or order.

Information We Collect Automatically. We may automatically collect the following information about your use of our Sites or Services through cookies and other technologies: your domain name; your browser type and operating system; web pages you view; links you click; your IP address; the length of time you visit our Sites and or use our Services; and the referring URL, or the webpage that led you to our Sites. We may combine this information with other information that we have collected about you, including, where applicable, your user name, name, and other personal information. Please see the section “Cookies and Other Tracking Mechanisms” below for more information.

How We Use Your Information

We use your information, including your personal information, for the following purposes:

- To provide our Sites and Services to you, to communicate with you about your use of our Sites and Services, to respond to your inquiries, to fulfill your orders, and for other customer service purposes;
- To tailor the content and information that we may send or display to you, to offer location customization, and personalized help and instructions, and to otherwise personalize your experiences while using the Sites or our Services;
- For marketing and promotional purposes. Provided that you have opted-in to such communications if such opt-in is required by applicable law, we may use your information, such as your email address, to send you news and newsletters, special offers, and promotions, or to otherwise contact you about products or information we think may interest you, and to assist us in advertising our Services on third-party websites; and
- To better understand how users access and use our Sites and Services, both on an aggregated and individualized basis, in order to improve our Sites and Services and respond to user desires and preferences, and for other research and analytical purposes.

PRIVILEGED & CONFIDENTIAL

Legal Bases For Processing

We process the personal information collected for the purposes described in the section **How We Use Your Personal Information** in this Policy. The legal basis for our processing activities include processing personal information as necessary to comply with our contractual obligations, compliance with our legal obligations, protecting the safety of our employees, and other users, for our legitimate business interests, and pursuant to your consent. The particular legal basis for the processing of your personal information is based on the purpose for which such information was provided or collected.

For example, we use personal information as necessary for the performance of contracts with you, or in order for us to take steps, at your request, prior to entering into a contract, such as requesting information regarding your company and its needs and requirements. For example, we are not able to provide our Services and products according to contracts unless you provide us with certain necessary personal information. This collection and processing of the Personal Data is based on Art. 6 para. 1 (b) GDPR (necessary for the performance of a contract with you).

We may also process your personal information if we have received your consent, to respond to requests from you or to take actions in our legitimate interest, such as for marketing purposes or to otherwise inform you of our business operations, and to improve our products and services. Please note that if we rely on consent, you may withdraw your consent at any time, but such withdrawal will not affect the lawfulness of the processing prior to the withdrawal. This collection and processing of the Personal Data is based on your consent in accordance with Art. 6 para. 1 (a), 7 GDPR.

How We Share Your Information

We may share your information, including personal information, as follows:

- ***Affiliates.*** We may disclose the information we collect from you to our affiliates or subsidiaries solely for the purpose of providing Services to you; however, if we do so, their use and disclosure of your personally identifiable information will be maintained by such affiliates and subsidiaries in accordance with this Policy. For transfers between our EU and US affiliates, please see the EU Data Subject Rights section below.
- ***Service Providers.*** We may disclose the information we collect from you to third-party vendors, service providers, contractors or agents who perform functions on our behalf. Such vendors may include but are not limited to vendors we might employ to run marketing programs or deliver services on our behalf.
- ***Business Transfers.*** If we are acquired by or merged with another company, if substantially all of our assets are transferred to another company, or as part of a bankruptcy proceeding, we may transfer the information we have collected from you to the other company or to proposed acquirers in connection with their due diligence process.
- ***In Response to Legal Process.*** We also may disclose the information we collect from you in order to comply with the law, a judicial proceeding, court order, or other legal process, such as in response to a subpoena.
- ***To Protect Us and Others.*** We also may disclose the information we collect from you where we believe it is necessary to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the safety of any person, violations of our Terms of Service or this Policy, or as evidence in litigation in which we are involved.

PRIVILEGED & CONFIDENTIAL

- ***Aggregate and De-Identified Information.*** We may share aggregate or de-identified information about users with third parties and publicly for marketing, advertising, research, or similar purposes.

Please note that except as noted above, we will not sell or share your personal information with any third party for their direct marketing purposes without your consent.

Our Use of Cookies and Other Tracking Mechanisms

We and our third-party service providers may use cookies and other tracking mechanisms to track information about your use of our Sites and Services. We may combine this information with other personal information we collect from you (and our third-party service providers may do so on our behalf). If you have a Subscription Agreement with us, we may use cookies to track your usage of our Services, which information we use for monitoring, improving and developing our Services and new features and functionalities. For more information on the specific cookies that we use, please see our Cookie Notice.

Currently, our systems do not recognize browser “do-not-track” requests. You may, however, disable certain tracking as discussed in this section (e.g., by disabling cookies), but such disabling may impair use of the Sites and Services.

Cookies. Cookies are alphanumeric identifiers that we transfer to your computer’s hard drive through your web browser for record-keeping purposes. Some cookies allow us to make it easier for you to navigate our Sites and Services, while others are used to enable a faster log-in process or to allow us to track your activities at our Sites and Services. There are two types of cookies: session and persistent cookies.

- Session Cookies. Session cookies exist only during an online session. They disappear from your computer when you close your browser or turn off your computer. We use session cookies to allow our systems to uniquely identify you during a session or while you are logged into the Sites. This allows us to process your online transactions and requests and verify your identity, after you have logged in, as you move through our Sites.
- Persistent Cookies. Persistent cookies remain on your computer after you have closed your browser or turned off your computer. We use persistent cookies to track aggregate and statistical information about user activity.

Disabling Cookies. Most web browsers automatically accept cookies, but if you prefer, you can edit your browser options to block them in the future. The Help portion of the toolbar on most browsers will tell you how to prevent your computer from accepting new cookies, how to have the browser notify you when you receive a new cookie, or how to disable cookies altogether. Visitors to our Sites who disable cookies will not be able to browse certain areas of the Sites or use the Services.

Third Party Analytics. We use automated devices and applications, such as Google Analytics, to evaluate usage of our Sites and our Services. We also may use other analytic means to evaluate our Services. We use these tools to help us improve our Services, performance, and user experiences. These entities may use cookies and other tracking technologies to perform their services. We do not share your personal information with these third parties.

Third-Party Links

Our Sites and Services may contain links to third-party websites. Any access to and use of such linked websites is not governed by this Policy, but instead is governed by the privacy policies of those third-party websites. We are not responsible for the information practices of such third-party websites.

PRIVILEGED & CONFIDENTIAL

Security of My Personal Information

We have implemented commercially reasonable precautions to protect the information we collect from loss, misuse, and unauthorized access, disclosure, alteration, and destruction. Please be aware that despite our efforts, no data security measures can guarantee 100% security.

You should take steps to protect against unauthorized access to your password, phone, and computer by, among other things, signing off after using a shared computer, choosing a robust password that nobody else knows or can easily guess, and keeping your log-in and password private. We are not responsible for any lost, stolen, or compromised passwords or for any activity on your account via unauthorized password activity.

What Choices Do I Have Regarding Use of My Personal Information?

We may send periodic promotional or informational emails to you, provided that we will first obtain your consent to send such communications if required by applicable law. You may opt-out of such communications at any point by following the opt-out instructions contained in the e-mail. Please note that it may take up to 10 business days for us to process opt-out requests. If you opt-out of receiving emails about recommendations or other information we think may interest you, we may still send you e-mails about your account or any Services you have requested or received from us.

Children Under 13

Our Sites and Services are not designed for children under 13 (or in the case of the European Union a child under 16). If we discover that a child under 13 (or in the case of the European Union a child under 16) has provided us with personal information, we will delete such information from our systems.

International Transfer of Personal Information

Like most international businesses, we may centralize certain aspects of our data processing activities in accordance with applicable laws, which may result in the transfer of your personal information from one country to another. For example, we may transfer information between our US and EU operations for administrative, customer service, and operational purposes. The jurisdictions where that information will be processed may or may not have laws that seek to preserve the privacy of personal information. However, any transfers of personal information from the EU to the US will be subject to approved EU Standard Contractual Clauses and such information will be processed in accordance with this Policy.

Data Subject Rights

You have the following rights with respect to your personal information:

1. Access, Correction and Erasure Requests: You have the right to:
 - contact us to confirm whether we are processing your personal information;
 - receive information on how your personal information is processed;
 - obtain a copy of your personal information;
 - request that we update or correct your personal information; and
 - request that we delete personal information in certain circumstances.

PRIVILEGED & CONFIDENTIAL

2. **Right to Object to Processing:** You have the right to request that we cease processing of your personal information:
 - for marketing activities, including profiling for statistical purposes where such processing is based on our legitimate business interests, unless we are able to demonstrate a compelling legitimate basis for such processing or we need to process your personal information for the establishment, exercise or defense of a legal claim.
3. **Right to Restrict Processing:** You have the right to request that we limit the processing of your personal information:
 - while we are evaluating or in the process of responding to a request by you to update or correct your personal information;
 - where such processing is unlawful and you do not want your personal information to be deleted;
 - where we no longer require such data, but you want us to retain the data for the establishment, exercise, or defense of a legal claim; and
 - where you have submitted an objection to processing based on our legitimate business interests, pending our response to such request.
4. **Data Portability Requests:** You have the right to request that we provide you or a third party that you designate with certain of your personal information in a commonly used, machine readable format. Please note, however, that data portability rights apply only to personal information that we have obtained directly from you and only where our processing is based on consent or the performance of a contract.

Submitting Requests: You can submit requests by contacting us at privacy@containo.us. We will respond to all such requests within 30 days of our receipt of the request, unless there are extenuating circumstances, in which event we may take up to 60 days to respond. We will inform you if we expect our response to take longer than 30 days. Please note, however, that certain personal information may be exempt from such rights pursuant to applicable data protection laws. In addition, we will not respond to any request unless we are able to appropriately verify the requester's identity. We may charge you a reasonable fee for subsequent copies of personal information that you request. In addition, if we consider that a request is manifestly unfounded or excessive, we may either request a reasonable fee to deal with the request or refuse to deal with the request.

If you have concerns about our data practices or the exercise of your rights, you may contact us at privacy@containo.us or the supervisory authority in the Member State of your residence.

Your California Privacy Rights

We do not share personal information with third parties for those third parties' own direct marketing purposes. Under California's "Shine the Light Law," if you are a California resident, you may request information about our compliance with this law by contacting us at privacy@containo.us or by sending a letter to our US headquarters at the address set forth in the Contact section on our Sites. Requests must include "California Privacy Rights Request" in the first line of the description and include your name, street address, city, state, and ZIP code. Please note that we are only required to respond to one request per customer each year, and we are not required to respond to requests made by means other than through this e-mail address or mail address.

PRIVILEGED & CONFIDENTIAL

Contact Us

If you have questions about the privacy aspects of our Sites or Services or would like to make a complaint, please contact us at privacy@containo.us.

Changes to this Policy

This Policy is current as of the Effective Date set forth above. We may change this Policy from time to time, so please be sure to check back periodically. We will post any changes to this Policy on the Sites.